



LEGAL AID ONTARIO

AIDE JURIDIQUE ONTARIO

**WHAT YOU NEEDED TO ASK ME:
NEW TOOLS AND TRAINING TO
ENHANCE MENTAL HEALTH LEGAL
ADVOCACY**

Tuesday, November 17, 2015 (1:30 – 3:00 pm)

2015 Human Services and Justice Coordinating Committee
Conference

Agenda

2

- Overview of Legal Aid Ontario's Mental Health Strategy
- Background to Guided Interview Tool Project
- Review and Demo of Draft Guided Interview Tool
- Group discussion and report back on the Draft Guided Interview Tool
- Next Steps for the Guided Interview Tool Project

Mental Health Strategy @ LAO

3

- **Mid 2012:** LAO's Board of Directors approved development of a Mental Health Strategy (MHS) with a five-year mandate
- **Early 2013:** Work on the MHS began
- The objectives of the Strategy:
 - ▣ **Scope** Review all LAO services and mandate through a mental health lens
 - ▣ **Study** How does MH&A intersect with LAO?
 - ▣ **Sequence** Set strategic goals and specific yearly initiatives
 - ▣ **Stakeholders** Involve stakeholders in the initial and ongoing development of the strategy, and in new partnership initiatives

Mental Health Strategy @ LAO

4

- **First-half 2014:** Province-wide consultations took place: 24+ in-person consult sessions; 2500+ downloads of paper; 65+ written submissions

Key theme across all providers and stakeholders: lawyers need MH training to provide more effective advocacy

- **Early 2014:** Partnership established with Mental Health Commission of Canada
- **August 2014:** External Training Advisory Committee convened. Membership includes academics, private bar, staff lawyers, clinic lawyers, clients, and MH service providers

Training Needs of Advocates

- **Independence:** what is the relationship between rights and mental health issues? What is the role of an advocate?
- **Understanding:** how can an advocate identify client abilities, needs and options beyond simplistic proxy labels or diagnoses? How can an initial point of contact unpack multiple and intersecting legal issues?
- **Practical “mental health first aid”:** communication skills, understanding illnesses, anti-oppression and trauma-informed, service options
- **Effective advice:** takes into account secondary consequences; bail and diversion terms that setup clients to fail; social and health factors which contribute to recidivism;
- **Communities of Practice:** ongoing support, mentorship and second chair opportunities, practitioner wellness and self-care
- **Locality:** Every court and community has different practices and services

Training Outcomes for LAO

6

- Demonstrate an effective, province-wide legal aid response to federal and provincial MH strategies
- A framework for quality assurance, higher qualification standards, and enforceable practice standards
- Modernize key performance indicators, better measure outcomes, and better identify client needs
- Recognize and qualify expert practitioners & reward dedication with, for example, appellate level work
- Recognition of legal aid as a critical mental health rights advocacy organization in Ontario
- Greater confidence and job satisfaction for practitioners
- Greater willingness of practitioners to work with MH clients – increasing systemic capacity and anticipating growth

Training Models – BC Example

7

- Other professions face these same challenges
- MHCC and general practitioner physicians in BC – 2009 Survey
 - ▣ No practical training working with MH patients
 - ▣ No framework for providing quality service
 - ▣ No provincial standards or performance measures
 - ▣ Low job satisfaction of physicians
 - ▣ Physicians avoid clients with MH issues, which decreases capacity of the system and creates emergency patients
 - ▣ No communities of practice of improvement

Training Models – BC Example

8

- MHCC & BC Physicians develop “Practice Support Program” with key features:
 - ▣ Standard intake and service options tools
 - ▣ Guides to interviewing clients to identify needs and options
 - ▣ Reference material with practical information related to social and health risk factors and what to do about it
 - ▣ Follow-up guides for more detailed assessment of multiple and intersecting needs over the longer-term

Training Models – BC Outcomes

9

- 47% reduction in the use of prescription medications – “using skills not pills”
- 92% of GPs felt training improved patient care
- 68% of GPs reported higher job satisfaction
- 82% of patients felt increased sense of partnership and comfort in talking to physician
- Engaged patients and docs who can work on multiple and intersecting issues over time
- GPs reported greater willingness and capacity to take on MH patients
- Recognized province-wide practice standards, a wealth of new key performance indicators and success measures, ongoing improvements in quality assurance

Training Models – Legal Aid

10

- How can this model be adapted to the legal aid system?

Live Demo – [Training Website and Tools](#)

Training Program – Next Steps

11

- Fall 2015
 - ▣ Finalize criminal law materials and curriculum
 - ▣ Develop apps for guided interview tool and data gathering
 - ▣ Pilot project at court houses in Toronto with duty counsel and private bar counsel
 - ▣ Data gathering and efficacy assessments, client satisfaction surveys
- Early 2016
 - ▣ Report on results and analyze outcomes
 - ▣ Seek to scale up and adapt training to other practice areas
 - ▣ Develop package to share with other provincial legal aid plans

The Guided Interview Tool Project

12

- The Guided Interview Tool Project initiated in partnership with Canadian Mental Health Association Ontario in 2014.
- An Advisory Committee was created and has been meeting over the last year to determine the goals, utility, and evaluation plan for the Guided Interview Tool.
- An initial draft of the Guided Interview Tool is under active development with preliminary stakeholder “crowdsourcing” set to begin



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Mental health for all

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Project Advisory Committee

13

- The Advisory Committee for the Guided Interview Tool Project include representatives from:
 - Legal aid staff and duty counsel lawyers
 - CMHA staff across the province
 - Human Services and Justice Coordinating Committees
 - Person with Lived Experience
 - Community legal clinic lawyers and staff
 - Criminal lawyers
 - Mental health and justice academics
 - Court support workers



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Demo of the Guided Interview Tool

14

- Conceptual Draft of the Guided Interview Tool
Demo



Crowdsourcing exercise

15

- To help the development of the Guided Interview Tool, please review the draft resource with your table of workshop participants.
- Identify the intersections between mental health and criminal law. Identify:
 - ▣ What other factors intersect?
 - ▣ What consequences have been overlooked?
 - ▣ What else should lawyers know?
- *Report back with your findings*

Next Steps for Guided Interview Tool Development

16

- We will work with the Advisory Committee to include feedback from the HSJCC Conference workshop session into the Guided Interview Tool.
- Further stakeholder consultations will be held over the Fall 2015 and Winter 2016 to improve and finalize the Guided Interview Tool for piloting.
- Incorporate the Guided Interview Tool into the larger LAO Mental Health Strategy Training Program for piloting with duty counsel and private bar counsel in court houses.

Contacts

17

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